UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,046	12/29/2000	Masahiro Yoshiasa	074273/0178	6705

			EXAMINER
22428	7590	04/12/2006	KOROBOV, VITALI A

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ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/750,046	YOSHIASA, MASAHIRO
	Examiner	**Art Unit**	
	Vitali Korobov	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2006*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,8,10,11,13-16,18 and 20-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,8,10,11,13-16,18 and 20-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

1.   This Office Action is in response to the amendment filed 03/17/2006.

Claims 1, 8, 11 and 14 have been amended. Claims 4, 6, 7, 9, 12, 17, 19, and

24-26 have been canceled. Claims 24-26 are currently being added. Claims 1-3, 5, 8,

10, 11, 13-16, 18 and 20-23 are presently pending.

Response to Arguments

2.   Applicant's request for reconsideration of the finality of the rejection of the

last Office action is persuasive and, therefore, the finality of that action is withdrawn.

However, the Applicant's arguments are moot in view of the new grounds of rejection,

necessitated by the papers submitted by the Applicant on 03/17/2006. The Office

respectfully disagrees with the Applicant's assertion that the scope of the claims was not

changed by the submitted amendments. The limitations amended to the independent

claims were not previously present in every dependent claim of each respective

independent claim, as they are now.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-3, 5, 10, 11, 13-16, 18 and 20-23 rejected under 35 U.S.C.

103(a) as being unpatentable over the U. S. Patent No. 6,684,087 to Yu et al.,

hereinafter Yu. in view of the U. S. Patent No. 6,973,619 to Hirose et al., hereinafter

Hirose.

Regarding claim 1, Yu teaches a gateway server system comprising: a convert

section converting a first contents into second contents, wherein said first contents is

received from a contents server in response to a request of a small terminal and said

second contents corresponds to a display performance of a display section of said small

terminal (column 6, lines 56-58; column 7, lines 8-16, where link server 300 acts as a

gateway, receiving the image 500 from a content server, and processing it according

with the parameters of a small device requesting it), wherein the convert section judges

whether said first contents is a picture contents, and when said first contents is not said

picture contents, said convert section does not convert said first contents into said

second contents and in that case the gateway server provides the first contents to the

small terminal in an unconverted format (column 5, lines 55-67, where Yu teaches a

mobile device supporting HTTP protocol and states that there is no need to perform

data mapping and, therefore, there is no need for conversion for HTTP callouts where

no images are involved. Also note, as per column 8, lines 36-44, that user

authentication, user mobile device parameters data and other non-image data does not

get converted by the gateway 300); and an output section outputting said second

contents to said small terminal (column 9, lines 10-11), wherein said display

performance corresponds to the number of display pixels of said display section of said

small terminal so that an image corresponding to the picture contents is sized according to a size of the display section of said small terminal (column 7, lines 10-22, showing that the image 500, received from the content server as a size 640x480 pixels, is reduced to size 70x60, corresponding to the size of the screen of the mobile device).

Yu teaches that during preprocessing the display parameters of the mobile device are taken into consideration in order *"to ensure that a reformatted version of image 500 can be properly displayed"* (Yu, Col. 7, lines 11-23). However, Yu does not explicitly teach that one such parameter, used in preprosessing is the number of colors of the mobile device display.

However, Hirose, in analogous art, related to a method and mechanism for outputting HTML (Hyper Text Markup Language) documents, etc. in a form adapted to various attributes such as the sizes of display screens and/or communication speeds, of various terminals used by a user, such as PDA (Personal Digital Assistance), a personal computer (PC), TV set or a cellular phone having an information display function, teaches conversion of content wherein said display performance corresponds to the number of display colors of said display section (Hirose, col. 2, lines 3-17, where Hirose first describes this as a well known feature in prior art at least as of the date of filing of his patent application (foreign priority date June 30, 1998) and then as a feature in his invention in col. 3, lines 59-67 and col. 4 lines 1-3).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the image rendering techniques taught by Yu with the image rendering techniques taught by Hirose in order to dynamically

generate documents or display control information for providing client terminals of

various capabilities with user interfaces in accordance with each client terminal's

capabilities, and in order to enhance Yu's mechanism for making applications running

on a server independent of any client terminal which uses the results of their processing

(See Hirose, col. 2, lines 59-67).

Yu, enhanced by the teachings of Hirose, is hereinafter referred to as modified

Yu.

Regarding claim 8, modified Yu teaches a contents obtaining system comprising:

a terminal having a display section to display contents (Yu, figure 2, display 202), a

contents server storing contents (Yu, figure 1, element 104), and a gateway server

arbitrating a communication between said terminal and said contents server (Yu, figure

1, element 114; column 4, lines 7-12), and wherein said terminal outputs a first request

for obtaining required contents to said gateway server (Yu, figure 6A, element 604), and

wherein said gateway server outputs a second request for obtaining said required

contents to said contents server in response to said first request (Yu, figure 6B, element

646; column 8, lines 45-47), and wherein said contents server outputs said required

contents to said gateway server in response to said second request (Yu, column 8, lines

45-48), and when said required contents are picture contents said gateway server

converts said required contents into a specific contents, wherein said specific contents

correspond to a display performance of said display section of said terminal (Yu, column

6, lines 56-58; column 7, lines 8-16), and wherein said gateway server outputs said

specific contents to said terminal (Yu, column 9, lines 10-11), wherein said gateway

server judges whether said required contents are picture contents, and wherein when

said required contents is not said picture, said gateway server does not convert said

required contents into said specific contents and also does not convert said required

contents in any manner, and said gateway server outputs said required contents instead

of said specific contents to said terminal (Yu, column 6, lines 56-67; column 7, lines 8-

16. Note that information such as authentication and other text is not converted, only

images are converted by the gateway), and wherein said display performance

corresponds to the number of display pixels of said display section of said small

terminal so that an image corresponding to the picture contents is sized according to a

size of the display section of said small terminal (Yu, column 7, lines 10-22, showing

that the image 500, received from the content server as a size 640 by 480 pixels,

reduced to size 70 by 60, corresponding to the size of the screen of the mobile device),

wherein the image corresponding to the picture contents is converted in size to fit the

size of the display section of said small terminal and is sent to said small terminal as an

undivided image (Yu, column 7, lines 10-22, showing that the image 500, received from

the content server as a size 640 by 480 pixels, reduced to size 70 by 60, corresponding

to the size of the screen of the mobile device. See also Hirose, col. 9, lines 2-4, 20-21

and 33-34).

Regarding claim 14, modified Yu teaches 14. A computer readable recording

medium for recording a program for a process, comprising: (a) converting first contents

into second contents, wherein said first contents is received from a contents server in

response to a request of a small terminal and said second contents corresponds to

display performance of a display section of said small terminal (Yu, column 6, lines

56-58; column 7, lines 8-16, where link server 300 acts as a gateway, receiving the

image 500 from a content server, and processing it according with the parameters of a

small device requesting it); and (b) outputting said second contents to said small

terminal (Yu, column 9, lines 10-11); and (c) determining whether said first contents are

picture contents; wherein when said first contents are not determined as picture

contents in step (c), step (a) is not performed, and in that case said first contents are

provided in an unconverted format from said server to said small terminal (Yu, column

5, lines 55-67, where Yu teaches a mobile device supporting HTTP protocol and states

that there is no need to perform data mapping and, therefore, there is no need for

conversion for HTTP callouts where no images are involved. Also note, as per column

8, lines 36-44, that user authentication, user mobile device parameters data and other

non-image data does not get converted by the gateway 300); and (d) wherein, when the

contents are determined as picture contents, displaying said picture contents on the

display section of said terminal based on the display performance that corresponds to

the number of display pixels of said display section of said small terminal, so that an

image corresponding to the picture contents is sized according to a size of the display

section of said small terminal (Yu, column 7, lines 10-22, showing that the image 500,

received from the content server as a size 640x480 pixels, is reduced to size 70x60,

corresponding to the size of the screen of the mobile device), wherein the image

corresponding to the picture contents is converted in size to fit the size of the display

section of said small terminal and is sent to said small terminal as an undivided image

(Yu, column 7, lines 10-22, showing that the image 500, received from the content server as a size 640 by 480 pixels, reduced to size 70 by 60, corresponding to the size of the screen of the mobile device. See also Hirose, col. 9, lines 2-4, 20-21 and 33-34).

Regarding claims 2, 15, and 22, modified Yu teaches all the limitations as applied to claims 1, 14, and 8, respectively. Modified Yu further teaches means wherein the small terminal is one of a portable wireless telephone, a personal handyphone system (PHS) terminal, and a personal digital assistant (Yu, column 3, lines 55-60 and fig. 3A, where Air Network 308 supports PHS. See also Hirose, col. 3, lines 39-41).

Regarding claims 3 and 16, modified Yu teaches all the limitations as applied to claims 1 and 14, respectively. He further teaches means wherein said second contents can be displayed in said display section (Yu, column 7, lines 24-25).

Regarding claims 5 and 18, modified Yu teaches all the limitations as applied to claims 1 and 14 respectively. Modified Yu further teaches means wherein said convert section does not convert said first contents into said second contents, when said first contents is received from said contents server in response to a request of a non-small terminal other than said small terminal, and wherein said output section outputs said first contents to said non-small terminal (Yu, column 6, lines 55-58, where Yu teaches taking into account user display parameters. Col. 7, lines 1-10 state that the purpose of conversion taught by Yu is to provide a proper image display on the user's terminal, which is inherently not performed when the size of the image matches the size of the user terminal).

Regarding claim 20, modified Yu teaches all the limitations as applied to claims 1 and 14, respectively. He further teaches means wherein said display performance corresponds to the number of display colors of said display section (Yu, figure 4 and lines 10-22, where Yu teaches image conversion based on the parameters of the display screen of the user, color being one of a number of attributes used).

Regarding claim 10, modified Yu teaches all the limitations as applied to claim 8. He further teaches means wherein said terminal is one of a small terminal and a terminal other than a small terminal, and wherein when said terminal is a small terminal, said terminal outputs said first request for obtaining said required contents to said gateway server, said first request including a information indicating that said terminal is a small terminal (Hirose, fig. 4, step 1005 - request from user terminal is received, and step 1040 - information about terminal attributes is received and used in image processing. See also col. 8, lines 57-61, and fig. 5, showing that view objects are generated based on the information received from user regarding the user terminal attributes), and wherein when said gateway server does not receive said information, said gateway server does not convert said required contents into said specific contents and when the terminal is the small terminal, the gateway server converts the required contents into first specific contents and when the terminal is the terminal other than then small terminal, the gateway server converts the required contents into second specific contents different from the first specific contents (Hirose, col. 3, lines 59-67 and col. 4, lines 1-3. See also Yu, column 6, lines 30-35, 56-67; column 7, lines 8-16; column 8, lines 45-50. Note that the requesting device may be anonymous, in which case, the

server would not alter the content. In addition, devices with different capabilities can access the server and it will produce different content adjusted to the destination device).

Regarding claim 11, modified Yu teaches a contents obtaining system with means for: (a) outputting a first request for obtaining contents from a terminal to a gateway server (Yu, figure 6A, element 604); (b) outputting a second request for obtaining said contents from said gateway server to a contents server in response to said first request (Yu, figure 68, element 646; column 8, lines 45-47); (c) outputting said contents from said contents server to said gateway server in response to said second request (Yu, column 8, lines 45-48); (d) converting said contents into a specific contents in said gateway server, wherein said specific contents corresponds to a display performance of a display section of said terminal (Yu, column 6, lines 56-58; column 7, lines 8-16. See also Hirose, col. 8, lines 57-61); and (e) outputting said specific contents to said terminal from said gateway server (Yu, column 9, lines 10-11); and (f) determining whether said contents are picture contents, wherein when the contents are not determined as picture contents in step (f), step (d) is not performed and step (e) includes outputting said contents, instead of said specific contents, in an unconverted format, to said terminal from the gateway server (Yu, column 6, lines 56-67; column 7, lines 8-16. In addition, column 7, lines 1-10 state that the purpose of conversion taught by Yu is to provide a proper image display on the user's terminal, which is inherently not performed when the size of the image matches the size of the user terminal); and (g) wherein when the contents are determined as picture contents, displaying said picture

contents on the display section of said terminal based on the display performance that

corresponds to the number of display pixels of said display section of said small

terminal so that an image corresponding to the picture contents is sized according to a

size of the display section of said small terminal (Yu, column 7, lines 10-22, showing

that the image 500, received from the content server as a size 640 by 480 pixels,

reduced to size 70 by 60, corresponding to the size of the screen of the mobile device),

wherein the image corresponding to the picture contents is converted in size to fit the

size of the display section of said small terminal and is sent to said small terminal as an

undivided image (Yu, column 7, lines 10-22, showing that the image 500, received from

the content server as a size 640 by 480 pixels, reduced to size 70 by 60, corresponding

to the size of the screen of the mobile device. See also Hirose, col. 9, lines 2-4, 20-21

and 33-34).

Claim 13 is rejected in view of the above rejection of claim 10. Claim 13 does not

teach or define any new limitations above claim 10, and sets forth the invention as a

method rather than a system, as does claim 10.

Regarding claim 21, modified Yu teaches all the limitations as applied to claim 1.

He further teaches means wherein when said first contents are received from the

content server in response to a request from a non-small terminal, the convert section

does not convert said first contents into said second contents, and the output section

outputs the first contents to the non-small terminal (Yu, column 6, lines; 56-67; column

7, lines 8-16. Note that any size terminal can request information and if it is a regular

sized terminal, it would not require conversion. Column 7, lines 1-10 of Yu state that the

purpose of conversion taught by Yu is to provide a proper image display on the user's

terminal, which is inherently not performed when the size of the image matches the size

of the user terminal).

Regarding claim 23, modified Yu teaches all the limitations as applied to claim

10. He further teaches means wherein the first specific contents correspond to picture

contents to suit a particular display of the small terminal, and wherein the second

specific contents correspond to picture contents to suit a particular display of the

terminal other than the small terminal (column 6, lines 30-35, 56-67; column 7, lines

8-16; column 8, lines 45-50).

4.   **Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection

presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See

MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in

37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action. Any inquiry concerning this

communication or earlier communications from the examiner should be directed to Vitali

Korobov whose telephone number is 571-272-7506. The examiner can normally be

reached on Mon-Friday 8a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Vitali Korobov
Examiner
Art Unit 2155

04/04/2006
VAK

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